

Message Text

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ACTION EA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-11 L-03

NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 OMB-01 CU-05 DRC-01 /097 W

----- 084701

R 200455Z SEP 74

FM AMEMBASSY JAKARTA

TO SECSTATE WASHDC 4520

INFO AMEMBASSY SINGAPORE

AMCONSUL MEDAN

AMCONSUL SURABAYA

C O N F I D E N T I A L JAKARTA 11680

E.O. 11652: GDS

TAGS: PINS PINT ID

SUBJ: HARIMAN SIREGAR TRIAL--COMMENTARY

REF: JAKARTA 11503

BEGIN SUMMARY: TRIAL TO DATE HAS FOCUSED ON GENERAL SUB-
VERSION CHARGE AGAINST SIREGAR, TO ALMOST TOTAL EXCLUSION
OF CONSPIRACY CHARGE WHICH WAS CENTERPIECE OF GOVERNMENT
PRE-TRIAL STATEMENTS. TRIAL HAS APPEARED TO LACK CLEAR
DIRECTION, AND TESTIMONY HAS BROUGHT OUT SEVERAL POINTS
UNHELPFUL TO GOI. NEVERTHELESS, GOI HAS SUCCEEDED IN
GETTING ACROSS MESSAGE IT WILL NOT BROOK PUBLIC OPPOSITION
OUTSIDE DESIGNATED CHANNELS. SINCE CONVICTION AND MODER-
ATE SENTENCE UNIVERSALLY EXPECTED, ANNOUNCEMENT OF VERDICT
NOT LIKELY TRIGGER FURTHER PROTESTS UNLESS SENTENCE
UNUSUALLY SEVERE. END SUMMARY.

BASED ON FIVE WEEKS OF TESTIMONY, FOLLOWING COMMENTS
CAN BE MADE ABOUT CONDUCT TO DATE AND PROBABLE OUTCOME OF
SIREGAR TRIAL:

1. GOVERNMENT HAS CONCENTRATED ALMOST TOTALLY ON
PRESENTING EVIDENCE TO SUPPORT BASIC SUBVERSION CHARGE

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AGAINST SIREGAR. GOVERNMENT CLEARLY CAN CONVICT SIREGAR

ON THIS CHARGE--THIS HAS ALWAYS BEEN A FOREGONE CONCLUSION--GIVEN VERY BROAD ANTI-SUBVERSION LAW ON WHICH CHARGE BASED. NUMEROUS STATEMENTS MADE BY ANTI-SIREGAR STUDENT WITNESSES COULD BE CITED IN SUPPORT OF GUILTY VERDICT.

2. MANY OBSERVERS PUZZLED THAT VIRTUALLY NO EFFORT YET MADE BY GOVERNMENT TO SUPPORT ALTERNATIVE CHARGE OF PLOT TO OVERTHROW THE GOVERNMENT WHICH IS CENTRAL TO OFFICIAL GOVERNMENT EXPLANATION THAT JANUARY EVENTS RESULT OF CONSPIRACY BETWEEN VARIOUS DISSIDENT ELEMENTS (NOTABLY EX-PSI, MASJUMI AND LEFT-WING PNI). ONLY TESTIMONY TO DATE LINKING SIREGAR TO ANY OTHER ALLEGED CONSPIRATORS CAME IN WRITTEN INVESTIGATION REPORT OF YUWONO SUDARSONO OF UI FACULTY DESCRIBING LARGELY COINCIDENTAL FACTORS WHICH MAY HAVE LED PEOPLE TO ASSOCIATE UI DISCUSSION GROUP LED BY SIREGAR WITH OUTLAWED SOCIALIST PARTY (PSI), STATEMENT WHICH YUWONO LATER RETRACTED IN VERBAL TESTIMONY. FURTHER TESTIMONY MAY FOCUS MORE DIRECTLY ON THIS QUESTION (AT LEAST TWO DOZEN WITNESSES, MOSTLY PROSECUTION WITNESSES, REPORTEDLY REMAIN TO BE HEARD), AND SUBSEQUENT TRIALS OF OTHER JANUARY 15 DETAINEES MAY BE INTENDED TO SLOWLY BUILD CONSPIRACY CASE, BUT AS YET THERE NO HINT IN SIREGAR TRIAL OF "SURPRISES" OR REVELATIONS OF "BIG FISH" CONFIDENTLY PREDICTED BY GOVERNMENT SPOKESMEN PRIOR TO TRIAL'S START.

3. COURSE OF TRIAL TO DATE HAS LACKED STRONG SENSE OF DIRECTION, AND TESTIMONY OF INDIVIDUAL WITNESSES HAS BEEN RATHER DISJOINTED. SERIATIM QUESTIONING OF WITNESSES BY THREE JUDGES AND MULTIPLE PROSECUTION AND DEFENSE ATTORNEYS VIRTUALLY ELIMINATES POSSIBILITY OF SHARPLY FOCUSED TESTIMONY. MUCH TIME HAS ALSO BEEN SPENT ON RATHER ARCANE QUESTIONS OF LEGALITY OF VARIOUS SIREGAR ACTIONS UNDER RULES OF STUDENT ORGANIZATIONS; THIS APPARENTLY CONSIDERED IMPORTANT BY GOVERNMENT AS PART OF EFFORT TO PROVE THAT SIREGAR'S ACTIONS VIOLATED STUDENT RULES, AS WELL AS NATIONAL LAWS, BUT IT FURTHER DIFFUSES IMPACT OF TESTIMONY.

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4. TESTIMONY HAS HIGHLIGHTED A NUMBER OF POINTS WHICH NOT PARTICULARLY HELPFUL TO GOI. TESTIMONY OF VARIOUS STUDENT LEADERS HAS ESTABLISHED CLEAR (AND UNDOUBTEDLY ACCURATE) PICTURE OF PRE-JANUARY STUDENT MOVEMENT AS AT BEST A TENUOUS COALITION OF INDEPENDENT-MINDED LEADERS AND ORGANIZATIONS NOT PARTICULARLY SUSCEPTIBLE TO LEADERSHIP--MUCH LESS CONTROL-- FROM ANY ONE SOURCE. CLAIM THAT SIREGAR WAS "MASTERMIND" OF PRE-JANUARY AND

JANUARY 15 EVENTS NOT VERY CONVINCING IN LIGHT THIS PICTURE.

5. TESTIMONY HAS ALSO BROUGHT OUT SEVERAL COMPLAINTS FROM DETAINED STUDENTS CONCERNING THEIR TREATMENT, PARTICULARLY DENIAL OF FAMILY VISITS. COUNSEL ALSO COMPLAINED AT START OF TRIAL OVER LACK OF ACCESS TO SIREGAR (AND REPORTEDLY HAS BEEN ALLOWED ONLY ONE PRIVATE MEETING WITH HIM SINCE). PUBLIC PROTESTS BY DETAINEES OBVIOUSLY SOMEWHAT EMBARRASSING TO GOI BOTH AT HOME AND ABROAD.

6. ALSO OF INTEREST HAS BEEN GRADUAL INTRODUCTION BY DEFENSE OF QUESTION OF ROLE OF ALI MURTOPO IN STUDENT ACTIVITIES LEADING UP TO JANUARY EVENTS. TWO WITNESSES HAVE ACKNOWLEDGED THAT MEETINGS OF ANTI-SIREGAR FACTION OF UI STUDENT COUNCIL TOOK PLACE AT HOME OF LEADER OF MURTOPO-BACKED NATIONAL YOUTH ORGANIZATION, AND SIREGAR HAS CHARGED THAT ALL TEN MEMBERS OF OPPOSING FACTION WERE REPORTING TO GOI INTELLIGENCE (MEANING MURTOPO). WITNESSES HAVE ALSO MADE CLAIMS THAT "PROVOCATEURS" AND "OUTSIDERS" PLAYED ROLES IN PRE-JANUARY EVENTS AS WELL AS RIOTS, AND THAT STUDENTS ARE BEING MADE "SCAPEGOATS." ATTEMPTS BY DEFENSE TO FOLLOW UP ON THESE QUESTIONS SO FAR HAVE BEEN BLOCKED BY JUDGE, BUT DEFENSE HAS SERVED NOTICE IT WILL CONTINUE EFFORTS TO PROBE INTO POLITICAL BACKGROUND AND INTENTIONS OF ANTI-SIREGAR GROUPS.

7. IF TRIAL DOES NOT PRODUCE MORE CONVINCING EVIDENCE THAN PRESENTED TO DATE OF SINISTER NATURE OF SIREGAR'S INTENTIONS AND ACTIVITIES, CREDIBILITY OF GOVERNMENT WILL DECLINE FURTHER, AT LEAST AMONG STUDENTS AND EDUCATED SEGMENT OF PUBLIC. NEVERTHELESS, BASIC GOI MESSAGE THAT IT WILL NOT BROOK FURTHER PUBLIC OPPOSITION OUTSIDE OF DESIGNATED CHANNELS IS CLEARLY UNDERSTOOD BY STUDENTS AND CONFIDENTIAL

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OTHER DISSENTING GROUPS, AND MOST OBSERVERS BELIEVE THAT BARRING MAJOR UNANTICIPATED BLUNDER BY GOVERNMENT IN HANDLING REST OF TRIAL OR UNUSUALLY SEVERE SENTENCE FOR SIREGAR, ANNOUNCEMENT OF UNIVERSALLY ANTICIPATED CONVICTION AND MODERATE SENTENCE NOT LIKELY TO TRIGGER FURTHER ROUND OF DEMONSTRATIONS OR VIOLENCE.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: GOVERNMENT OVERTHROW, TRIALS, POLITICAL PRISONERS, STUDENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 20 SEP 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: cunninfx
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974JAKART11680
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740264-0241
From: JAKARTA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740928/aaaaaxst.tel
Line Count: 161
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: JAKARTA 11503
Review Action: RELEASED, APPROVED
Review Authority: cunninfx
Review Comment: n/a
Review Content Flags:
Review Date: 29 JUL 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <29 JUL 2002 by elyme>; APPROVED <10 MAR 2003 by cunninfx>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: HARIMAN SIREGAR TRIAL--COMMENTARY
TAGS: PINS, PINT, ID, (SIREGAR, HARIMAN)
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005